

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES, et al.,)	
)	
Plaintiffs,)	
v.)	No. 1:23-cv-00108-LMB-JFA
)	
GOOGLE LLC,)	
)	
Defendant.)	

**JOINT MOTION FOR EXTENSION OF TIME TO RESPOND TO MOTIONS TO SEAL
EXHIBITS FOR BRIEFING ON SUMMARY JUDGMENT AND MOTIONS TO
EXCLUDE EXPERT TESTIMONY**

1. On April 26, 2024, Plaintiffs filed motions to exclude testimony of two of Google’s expert witnesses. ECF Nos. 587, 609. On that same date, Google filed a motion for summary judgment and motions to exclude testimony of three of Plaintiffs’ expert witnesses. ECF Nos. 569, 572, 575, 578.

2. All of these filings were accompanied by requests to maintain material under seal. With respect to a significant amount of the material submitted under seal, the parties’ basis for sealing is that another party (or non-party) has designated the material as “confidential” or “highly confidential” under the operative protective order in this action, *see* E.D. Va. L.R. 5(C) (setting forth procedures for filing materials where a non-filing party or non-party has designated the material as confidential). ECF Nos. 592-93, 605-06, 612, 617.

3. Pursuant to Local Rule 5, the parties’ (and any interested non-parties’) responses to these motions to seal are due on May 3, 2024. In those responses, Plaintiffs, Google, and any interested non-parties will be required to set forth a basis for continued sealing of material that they originally designated as confidential or highly confidential under the Modified Protective Order.

4. The parties respectfully request an extension until **June 7, 2024**, of the response deadline for all responses to motions to seal associated with Google's motion for summary judgment and the parties' total of five motions to exclude expert witness testimony, as well as the associated opposition briefs and replies.

5. The additional time to respond to these motions to seal will provide two key benefits: (1) The parties and interested non-parties will have sufficient time to ensure that their requests for continued sealing are as narrowly tailored as possible, facilitating the maximum amount of information ultimately being available on the public docket; and (2) a single response deadline of June 7, 2024, will allow the parties to file consolidated responses to multiple motions to seal, contributing to fewer total filings and a more streamlined docket.

6. The parties submit that good cause exists to grant this extension, as the parties have proceeded diligently in this matter, no party will be prejudiced by the requested relief, and the requested relief will not affect any other deadlines in this case. *See generally Roe v. Howard*, No. 1:16-cv-562, 2017 U.S. Dist. LEXIS 187258, *1-2 (E.D. Va. June 30, 2017).

7. The parties have met and conferred regarding the relief requested herein, and both Plaintiffs and Google join in this motion.

Dated: April 30, 2024

Respectfully submitted,

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